

Office of Water Quality
Briefing Paper
Water-010-NPD

Title

Minimum Success Criteria for Wetland Compensatory Mitigation

Description of Need

Before IDEM will find that a wetland compensatory mitigation site is complete and offsets the loss of wetlands authorized by a permit or certification, the applicant must monitor the mitigation wetland for a minimum period of three (3) continuous years. If the site(s) does not meet the success criteria for two consecutive years in this three year period then the applicant will monitor the site(s) for an additional two years for a total of five years. For IDEM to release the mitigation site from this monitoring requirement, the permittee must demonstrate to IDEM, through their monitoring reports, that the site(s) meet or exceed the success criteria for at least two (2) consecutive years. If the site(s) fails to meet the success criteria for at least two (2) consecutive years within a five year period, then corrective action will be required.

These success criteria provide IDEM with a benchmark against which IDEM can measure the performance of mitigation attempts. The success criteria tell IDEM which mitigation sites are accomplishing their goals and which need corrective action. Without success criteria, IDEM cannot assure that compensatory mitigation required through the permitting program will offset the loss of isolated wetlands as required by Indiana State Law under IC 13-18-22-1(c).

Proposed Policy Resolution

A wetland compensatory mitigation site must meet or exceed minimum performance standards before IDEM will determine that a wetland compensatory mitigation site is complete and offsets the loss of wetlands authorized by a permit or certification. This NPD outlines the minimum success criteria.

Information Used to Develop NPD

In the development of this NPD, IDEM employed State Law (IC 13-18-22) and rules (327 IAC 17) concerning state regulated wetlands and wetland activity permits.

Informal Process for NPD Review

IDEF distributed the draft NPD to the Wetlands Policy and Wetlands Science Advisory workgroups for review and development.

Request for Public Comments

This notice requests the submission of comments on the draft NPD. Mailed comments should be addressed to:

Rebecca Schmitt, Rulewriter
Rules Development Section

Office of Water Quality
Indiana Department of Environmental Management
100 North Senate Avenue
Indianapolis, Indiana 46204.

Hand delivered comments will be accepted by the IDEM receptionist on duty at the twelfth floor reception desk, Office of Water Quality, Indiana Government Center-North, 100 North Senate Avenue, Indianapolis, Indiana.

Comments may be submitted by facsimile at the IDEM fax number: (317) 232-8406, Monday through Friday, between 8:15 a.m. and 4:45 p.m. Please confirm the timely receipt of faxed comments by calling the Office of Water Quality, Rules Development Section at (317) 233-8903.

Comment Period Deadline

The comment period ends forty-five (45) days after the draft NPD is posted to the website.

Contact

Technical information regarding this draft NPD may be obtained from James Robb, Wetlands Special Projects Manager, Office of Water Quality, (317) 233-8802.

Presentation to the Board

Following the forty-five (45) day comment period, this NPD will be presented to the Water Pollution Control Board at the meeting on August 9, 2006, time and location to be determined.